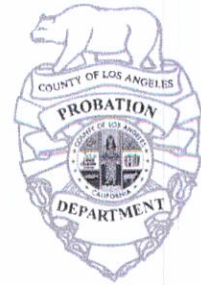




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August 17, 2021

TO: Wendelyn Julien, Executive Director
Los Angeles County Probation Oversight Commission

FROM: Brandon Nichols
Chief Deputy Probation Officer

SUBJECT: **PROGRESS ON IMPLEMENTATION OF THE ELIMINATION OF THE USE
OF OLEORESIN CAPSICUM SPRAY**

On July 8, 2021, the Los Angeles Probation Oversight Commission (POC) requested that the Probation Department provide written reports to the POC every 30 days regarding the progress on implementation of the elimination of the use of Oleoresin Capsicum (OC) Spray, including a timeline with dates for key interim benchmarks and steps toward elimination, including the specific target date when the use of OC spray will be eliminated.

As with any complex, and progressive initiative, numerous strategies are necessary to provide staff, youth, service providers, and facilities the tools needed to prepare for the successful implementation of this paradigm shift. Training, communication, and evaluation are key components of the elimination of OC and the Department initiated the training of staff to provide additional tools to the workforce in an effort to proceed to the next phase in eliminating OC usage within juvenile facilities.

TRAINING PLAN

Probation began OC Phase out training in September of 2019 but was forced to suspend the block week training in March 2020 at the start of the COVID-19 pandemic. At that time approximately 125 of our 900 (14%) Detention Services Bureau (juvenile hall) staff, supervisors, and managers had been trained.

The training plan outlined in the “Embracing the Future” report submitted to the Board on June 25, 2019, indicated that the Department would focus on de-escalation, trauma informed-care, adolescent brain development, and updates to our physical intervention policies. These trainings were also embedded in the California Department of Justice (DOJ) settlement agreement.

The specific trainings will be required for all staff:

- De-escalation
- Physical Intervention Policy
- Rapport-based communication
- Adolescent Development
- Trauma-Informed Care and Response
- Restorative Justice Practices
- Enhanced Supervision
- Child Abuse Prevention and Reporting
- Suicide Prevention
- Basic Supervision, Hope Center, and Behavior Modification Programming

Probation has scheduled to begin training the new cohort classes on September 13, 2021. The above curriculum will be delivered in a 40-hour block to between 20 and 25 staff per cohort. Housing units will be pulled off-line and trained together whenever possible. Our Staff Training Office will train 4 cohorts per month until the training is completed. The Detention Services Bureau has approximately 800 staff, thus we anticipate that training will be completed by June 30, 2022. Training will be conducted collaboratively with staff from the Department of Mental Health, Juvenile Court Mental Health Services, and the Los Angeles County Office of Education whenever possible.

In addition, daily Individualized Behavior Management Program meetings will be held to discuss de-escalation strategies to mitigate potential incidents in the unit and provide coaching and mentoring opportunities for staff.

TIMELINE FOR ELIMINATION OF OC SPRAY

Probation will be clustering groups of housing units to begin the four-phase approach. The staff will be trained together, mental health clinical support will be enhanced, and programming will be augmented. The elimination of OC spray in each housing unit will occur in four phases:

- **Phase 1 - Training, Programming and Assessment (TPA).** During this phase, we will initiate the training of staff, introduce, or enhance new programming into the units and assess the readiness of our staff to proceed to the next phase.

After being trained, staff will have the option to not carry OC spray in their assigned housing unit. We anticipate some staff selecting this option, as we know most staff do not use OC spray. This step may last 30-60 days, depending on the historical frequency of use of OC in the particular housing unit and staff and youth comfort with progressing to the next stage of the phase out.

- **Phase 2 - Restricted Stage.** After the Voluntary Stage (30-60 day period during which staff can opt to not carry OC spray), the issuance of OC spray in the housing unit will be restricted to two staff per shift. The selection of those two staff is still under

consideration and requires further discussion with our labor partners. This step may last 60-90 days, depending on outcomes.

- **Phase 3 - Secured Stage.** After the 60-90 day period when only two unit staff per shift are carrying OC spray, two OC spray canisters will be secured in a locked box in the unit and only accessible during extreme emergencies. Locked boxes have been procured and installed in the units.
- **Phase 4 - Elimination.** Each unit and area will be independently assessed based on analysis as to when OC will be eliminated from specific units. The last staff to carry or be able to access OC spray generally will be crisis response personnel as more and more units will not have OC spray available in the housing units. The analysis of readiness to eliminate the secured canisters of OC spray will be based on the status of program enhancements, staff and youth feedback on training and programmatic services supporting the effort, a review of incidents giving rise to the use of OC spray and outcomes of those events, and responses and support given to address on-going issues or conflict in individual units.

CONCLUSION

Probation and its stakeholders are committed to this endeavor. Barring any future public health orders that would negatively impact/delay the ability to execute the proposed training initiatives, the Department anticipates completing the OC Phase Out Plan 18 months from the start of the new training calendar, with a projected completion date of March 2023. We will continue to inform the POC of the Department's progress regarding its efforts in executing the OC elimination plan and provide updates of any significant changes by the 16th of each month. Please contact me if you have any questions, or your staff may contact Brandon Nichols, Chief Deputy, at (562) 940-2511.

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